



**COUNCILMEMBER DONNA FRYE
COUNCILMEMBER SHERRI LIGHTNER**
City of San Diego

MEMORANDUM

DATE: October 12, 2010

TO: Council President Ben Hueso

FROM: Councilmember Donna Frye
Councilmember Sherri Lightner

Donna Frye
Sherri Lightner

SUBJECT: Request to Docket Today and Send the Governor a Letter of Opposition to the Legislation Waiving the Cap for the Downtown Redevelopment Area

Under our Municipal Code, Section 2.5 Non-Agenda Items, the Council may discuss or take action on items of business not appearing on the posted agenda under the following conditions pursuant to California Government Code section 54954.2.

(b) Upon a determination by a two-thirds vote of the Council, or if less than two-thirds of the members are present, a unanimous vote of those present that the need to take action arose after the agenda was posted.”

“The Council shall be required to first vote upon the matter of determining the validity of the circumstances giving rise to the request prior to discussion and action upon the item of business.”

The following reasons are presented to address the validity of circumstances giving rise to this request to docket today:

- The action by the State Legislature took place with no notice to the San Diego taxpaying public or this City Council;
- This is a matter of significant public concern that involves billions of dollars in downtown property taxes;

- The City Council previously authorized a blight study and a public process to ensure that all concerns were heard in advance of taking action to lift the cap;
- The public interest demands that the local legislative branch of government, the City Council, and the public be included in decisions, before, not after the fact;
- To ensure that the public does not lose faith in their local elected officials, this City Council has a responsibility to stand up for the public's right to know, the public's right to participate and the public's right to be heard;
- The Governor has yet to sign the legislation, and;
- It is in the best interest of the public to take immediate action to request that the Governor not sign this legislation.

CC: Honorable City Councilmembers